

Box 502 1638
A33207-PCT-USA (072667.0132) #8

PATENT 12/10/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Freyssinet et al.
Serial No. : 09/554,024 Examiner : Ibrahim, M.
Filed : May 8, 2000 Group Art Unit : 1638
For : GENE CODING FOR THANATIN, VECTOR CONTAINING SAME
AND RESULTING TRANSFORMED DISEASE-RESISTANT PLANTS

**RESPONSE TO NOTICE TO COMPLY,
SUBMISSION OF SEQUENCE LISTING
AND DECLARATION**

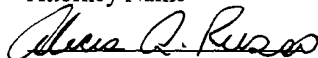
I hereby certify that this paper is being deposited with the
United States Postal Service as first class mail in an envelope
addressed to: Assistant Commissioner for Patents,
Washington, D.C. 20231

November 12, 2001

Date of Deposit

Alicia A. Russo

Attorney Name


Signature46,192

PTO Reg. No.

November 12, 2001

Date of Signature

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to a Notice to Comply with Requirements for Patent Applications
Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures under 37 C.F.R. §§

1.821-1.825 mailed on October 10, 2001, please consider the following remarks.

12/10/2001 GPAYNE 00000001 024377 09554024

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REMARKS

In the Office Communication dated October 10, 2001, the Examiner contends that Applicants failed to submit a computer readable copy of the Sequence Listing for the above-referenced application which was submitted in a Preliminary Amendment on October 11, 2000. Applicants respectfully point out that a return postcard was submitted with the Preliminary Amendment which indicated that both a paper and computer readable copy of the Sequence Listing was submitted and this return postcard was stamped as having been received by the PCT/PTO on October 16, 2000. There is no indication on the postcard that the computer readable copy of the Sequence Listing was not received. Therefore, Applicants assert that the computer readable copy was received.

Nonetheless, Applicants submit herewith another computer-readable copy of the Sequence Listing in order to comply with the Sequence Listing requirements. In addition, for the Examiner's convenience, Applicants also submit herewith another paper copy of the Sequence Listing.

I hereby state that the content of the paper copy of the Sequence Listing previously submitted and the paper copy enclosed herewith as well as the computer-readable copy of the Sequence Listing enclosed herewith in accordance with 37 C.F.R. §§ 1.821(e) are the same.

I hereby state that the paper and computer-readable copies of the Sequence Listing enclosed herewith in accordance with 37 C.F.R. § 1.821(f), do not include new matter.

Applicants believe that no additional fees are due. However, if additional fees are required, the Commissioner is hereby authorized to charge the payment of any fees to Deposit Account No. 02-4377. Two copies of this communication are enclosed.

Applicants also enclose a copy of the Notice to Comply.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Louis S. Sorell", written over a horizontal line.

Louis S. Sorell
Patent Office Reg. No. 32,439

Alicia A. Russo
Patent Office Reg. No. 46,192

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Encls.